

REMARKS

Upon entry of the present amendment, claims 15, 16, 18 and 20-22 will have been amended. Additionally, claims 23-34 will have been submitted for consideration by the Examiner. Thus, claims 15-34 are pending in the present application.

In view of the hereincontained amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of each of the outstanding rejections set forth in the above-mentioned Official Action. Such action is respectfully requested and is now believed to be appropriate and proper.

Initially, Applicant would like to express his appreciation to the Examiner for the detailed action provided. In particular, Applicant respectfully thanks the Examiner for his detailed response to Applicant's arguments and will use the Examiner's response to the arguments to point out and emphasize the patentable features of the present invention and the distinctions between the present claims and the disclosure of the TOMAT reference relied upon by the Examiner in rejecting each of the independent claims in the present application.

In the outstanding Official Action, the Examiner rejected claims 15, 20 and 21 under 35 U.S.C. § 102(e) as being anticipated by TOMAT (U.S. Patent No. 6,459,499). Claims 16-19 and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over TOMAT and further in view of SHIMA (U.S. Published Patent Application No. 2002/0004802).

Applicant respectfully traverses each of the above-noted rejections and submits that they are inappropriate with respect to the combination of features recited in each of Applicant's claims. Accordingly, Applicant traverses the rejection, requests

reconsideration and withdrawal thereof together with an indication of the allowability of all the claims pending in the present application, in due course.

Applicant's invention is directed to a terminal apparatus that is configured to receive image data from a scanner. The terminal apparatus comprises an interface configured to be connected to the scanner by a network. The terminal apparatus includes a memory configured to store information indicating a plurality of file types and an application program associated with each of the plurality of file types, each of the application program being configured to open a document file associated with at least one of the plurality of the file types.

The terminal apparatus further includes a controller that is configured to receive, from the scanner, a control file including a file name and to also receive from the scanner, a document file, the document file including image data scanned by the scanner. The controller is additionally configured to analyze the file name included in the received control file to obtain the file type of the received document file, and to search the memory, to determine the application program associated with the obtained file type, from the application programs stored in memory. The controller is additionally configured to start the application program associated with the obtained file type to open the received document file based on the application program determined in the search of the memory.

Independent claim 20 recites a network system including a scanner and a terminal apparatus as described above while independent claim 21 recites a related communication method.

Initially, Applicant wishes to note that claim 15, the language of which is being used as an example only, relates to a terminal apparatus that receives image data from a scanner. In other words, Applicant's invention is related to a receiving apparatus. According to the features of Applicant's invention, the terminal, (i.e., receiving) apparatus includes a memory that stores information as recited, e.g., in claim 15.

In this regard, Applicant notes that TOMAT is not particularly concerned with the receiving apparatus. Rather, TOMAT relates to operations related to scanning a document and sending a corresponding image file to a remote recipient using a software autosend utility. The autosend utility accesses predetermined profiles of potential recipients. In other words, the autosend utility is resident in the transmitting apparatus or is accessed by the transmitting apparatus but is not part of a memory that is provided in a terminal apparatus (i.e., receiving apparatus).

Of course, at column 14, TOMAT does describe the receiving apparatus. In particular, TOMAT indicates that at the remote side, the image file is received and can be processed as desired by the recipient. However, there is no indication that the remote side (i.e., the terminal apparatus or the "receiving" apparatus) includes a memory as recited in Applicant's claims. For this reason alone it is respectfully submitted that Applicant's claims are clearly patentable over the disclosure of TOMAT.

Moreover, at column 13, in the paragraph starting on line 68, TOMAT discloses that if the image file is sent using DCOM, then the file transport is performed by the DCOM client on the computer system and the DCOM client on the computer system of the intended recipient. Thus, it is clear that the file transport protocol is not determined based on the memory in the recipient or receiving terminal, but is based on the file

transport protocol that was "specified as the address for sending the image file" in the sending or transmitting apparatus. For this additional reason, it is respectfully submitted that Applicant's claims clearly distinguish from the TOMAT reference relied upon by the Examiner.

Further, according to TOMAT, when the autosend utility is launched in the transmitting apparatus, it receives user input that identifies the remote recipient and based on the profile corresponding to the identity of the recipient, the image scanning characteristics and the transport protocol for the image data are determined. Thus, there is clearly no need for a memory as recited in the combination of e.g., claim 15 in the system of TOMAT. In other words, in TOMAT, the determined transport protocol is determined in the transmitting apparatus and that transport protocol performs the associated functions as described in TOMAT. However, the transport protocol is not part of (or stored in) the terminal apparatus, but is clearly part of the transmitting apparatus. Thus, whether or not the file transport protocol performs functions analogous to those recited is not even relevant.

According to the features of Applicant's invention, the memory of the receiving terminal apparatus stores information indicating a plurality of file types and an application program associated with each of the plurality of file types. Each application program is configured to open a document file associated with at least one of the plurality of file types. The terminal (i.e., receiving) apparatus further includes a controller that is configured to receive a control file including a file name and a document file. The document file includes image data scanned by the scanner. The controller analyzes the file name included in the received control file to obtain the file

type of the received file, searches the memory of the terminal apparatus to determine the application program associated with the obtained file type, from the application programs stored in the memory, and starts the application program associated with the obtained file type to open the received document, based on the application program determined in the search. As previously noted, each of these components is part of the terminal apparatus.

Turning now, as noted above, to the Examiner's response to Applicant's arguments set forth in the prior response, Applicant notes that the Examiner has relied upon column 8, lines 10-19. Thereat, the Examiner asserted that TOMAT "states that if the transport protocol is DCOM, then a specific remote application program is opened for the particular image file". This actually highlights a significant distinction between Applicant's invention and TOMAT. In other words, the cited portion of TOMAT discloses that, based on a determination in the transmitting apparatus, a remote application file is opened. In direct contrast, according to the teachings of the present invention, and as recited in claim 15, it is the memory of the receiving terminal apparatus that is utilized to determine which application file is utilized to open the received document.

While TOMAT discloses, at column 8, lines 10-20, that the application program could reside on any of the computer systems 58, 60 or 63 and that the remote computer system should have a DCOM client, these features are substantially irrelevant to Applicant's invention. Applicant's invention relates the concept that the terminal includes a memory and a controller which, based upon information in the memory, determines which application program to utilize. This feature is not taught or disclosed by TOMAT.

The Examiner's reference, in paragraph 6 of the Response to Arguments, to TOMAT column 5, lines 53-62, merely indicates that each of the various computer systems disclosed in TOMAT execute similar operating systems and programs. This in no fashion teaches the invention as claimed wherein it is recited that the terminal includes a memory with a plurality of file types and an application program associated with each of the plurality of file types, in the claimed combination.

In paragraph 7 of the Response to Arguments, the Examiner asserts that at column 14, lines 13-34, TOMAT describes selecting the application program among multiple application programs associated with the data that was sent from the scanner. However, the Examiner's reference to the above-noted portion of TOMAT merely indicates that examples of the image file that is received can be processed "as desired by the recipient". In other words, a recipient, albeit at the receiving terminal apparatus, can utilize whatever applications are resident on the computer system of the receiving (i.e. remote) terminal to appropriately manipulate the data received. However, this portion of TOMAT does not indicate that the terminal apparatus includes a memory and a controller as recited in Applicant's claims.

In particular, TOMAT indicates that if the image is sent to a user who uses a computer system on a network via e-mail, then that user can view the e-mail using an e-mail client. This is not in any significant fashion related to Applicant's invention as described above. TOMAT also indicates that users who receive an image file via e-mail, ftp, or Windows, likewise can manipulate the image file and can print the image file using various printers. Again, these features are not directly relevant to the features recited in Applicant's claims. In sum, this portion of TOMAT, which is essentially the

only portion of TOMAT that relates to the receiving apparatus, merely indicates that an image file and an associated image can be processed, manipulated, stored and output in any way that the recipient, user or device can process, manipulate, store or output image files and images stored therein. Neither this portion of TOMAT, nor any other portion of TOMAT indicates, teaches nor even renders obvious the memory and the controller as recited in Applicant's claims.

In setting forth the rejection, the Examiner asserts that TOMAT discloses a controller configured to receive a control file including a file name (column 8, lines 20-28). While column 8, lines 20-28, discusses file names, Applicant is not claiming file names per se. Rather, Applicant's claims recite using the file names to obtain a file type and then searching the memory to determine the application program associated with the obtained file type of the application program stored in the memory. The above-quoted portion of TOMAT discloses that file names are utilized for saving a file and a file name corresponds to a file on the intended recipient's computer system, a file on a network disk or a network disk connected to another computer system, or any other file that could be accessed by the intended recipient. However, this does not disclose, teach or imply the use of a file name as recited in Applicant's claims.

Additionally, the Examiner asserts that column 11, lines 45-58, of TOMAT teaches starting the application program associated with the obtained file type to open the received document file. In this regard, the Examiner is incorrect. The referenced portion of TOMAT relates to editing of a profile of potential recipients. This is rather unrelated to the claimed features of Applicant's invention.

In regard to the rejection of claims 16-19 and 22, Applicant does not dispute the conventionality of the Lpr/Lpd protocol nor of displaying image data on a display of a terminal in the form of a thumbnail per se. However, the utilization of these various subsidiary features of Applicant's invention in the manner recited in Applicant's claims is not taught, disclosed nor rendered obvious regardless of whether the features themselves are disclosed by SHIMA.

Moreover, the Examiner has not set forth a proper motivation for the combination of these two references. The portions of the Examiner's Official Action dealing with the obviousness of the combination merely set forth the ultimate conclusion, but is not supported by any evidence of motivation that flows from the disclosures of the documents themselves. Accordingly, the Examiner's combination is submitted to be deficient for this additional reason.

For each of the above-noted reasons and certainly for all of the above-noted reasons, it is respectfully submitted that the Examiner's rejection set forth in the above-mentioned Official Action are inappropriate and should be reconsidered and withdrawn.

By the present response, Applicant has submitted a number of additional claims. Each of these claims is patentable based on the features recited therein, as well as based upon their dependency from a shown to be allowable independent claim.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of each of the outstanding rejections together with consideration of the newly submitted claims and an indication of the allowability thereof, in due course. Such action is respectfully requested and is now believed to be appropriate and proper.

SUMMARY AND CONCLUSION

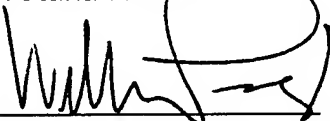
Applicant have made a sincere effort to place the present application in condition for allowance and believes that he has now done so. Applicant has amended the claims to clarify the features of the present invention and to amplify and emphasize the distinctions between the present claims and the disclosure of the references applied thereagainst. Applicant has discussed the disclosure the reference relied upon by the Examiner, the features recited in the claims and has pointed out the shortcomings of the reference with respect thereto. Accordingly, Applicant has provided a clear evidentiary basis for the patentability of all the claims in the present application and respectfully requests an indication to such effect in due course.

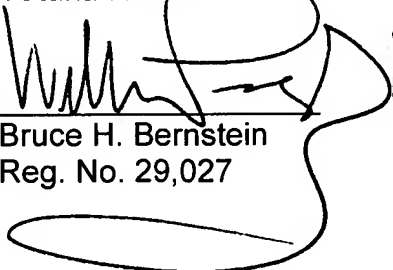
Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

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